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Atty. Dkt. No. 071949-2404

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth F. Buechler, et al.
Title: HYBRID PHTHALOCYANINE
DERIVATIVES AND THEIR
USES
Appl. No.: 09/776,599
Filing Date: 2/1/2001
Examiner: Jon D. Epperson
Art Unit: 1639

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. Germaine Sarda (Printed Name) <i>Germaine Sarda</i> (Signature) June 3, 2005 (Date of Deposit)
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**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated March 16, 2005, finally rejecting Claims 30, 31 and 42.

Enclosed please find:

☒ [X] Notice of Appeal Fee

☒ [X] To be paid as detailed below

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PAGE 4/27 * RCVD AT 6/3/2005 8:36:12 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-1/3 * DNIS:8729306 * CSID: * DURATION (mm-ss):10-30

Atty. Dkt. No. 071949-2404

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$500.00
<input type="checkbox"/>	Extension month:	\$0.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$500.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$500.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$500.00. A duplicate copy of this transmittal is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date June 3, 2005By Barry S. Wilson

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